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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Bernhard LINDENTHAL et al.

Serial No.: 10/606,289

Group Art Unit: 1614

Filed: June 26, 2003

Examiner: Unknown

For: METHOD FOR FERTILITY CONTROL

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

- ☐ Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:
- ☐ within three months of the filing date of a national application other than a CPA under § 1.53(d);
- ☐ within three months of the actual filing date of the national phase of a PCT application; OR
- ☐ before the mailing of a first substantive office action (including after filing of an RCE).
- ☒ Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:

a final rejection under 37 C.F.R. 1.113;
termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
a notice of allowance under 37 C.F.R. § 1.311; and

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180.00 OP

is accompanied by:

- ☐ the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
- ☒ a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).

☐ Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mailing date of the following actions which have not been withdrawn:

- ☐ a final action under 37 C.F.R. § 1.113;
- ☐ termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);
- ☐ OR a notice of allowance under 37 C.F.R. § 1.311;

AND is filed on or before payment of the issue fee; AND is accompanied by:

the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).

Statements Under 37 C.F.R. 1.97(e)

- ☐ Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.

Cited Materials

- ☐ Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120) ancestor application Serial No. _____, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).
- ☐ Copies of materials listed but not attached were cited in an international search report dated _____.
- ☒ Not required by 37 CFR § 1.98.
- ☒ Copies of the materials listed are attached (except for the foregoing).

Non-English Language References

- ☐ An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).
- ☐ A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:
- X = document of particular relevance when it is taken alone
Y = document of particular relevance when it is combined with another such document
A = document defining the general state of the art
O = non-written disclosure
P = intercalated document
T = document cited to understand the theory or principle underlying the invention
E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date
D = cited in the application
L = cited for another reason
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- ☐ Translation of other relevant information on foreign search report


Other Information

Payment of Fees Due (If Any):

- ☒ A check for \$ 180 covering the fee identified above is attached.
- ☐ Please charge to Deposit Account No. 13-3402 \$ _____ for the fee identified above.

☒ The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,



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Attorney Docket No.: SCH-1985

Date: January 9, 2007

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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/606,289
Filing Date	June 26, 2003
First Named Inventor	Bernhard LINDENTHAL et al.
Group Art Unit	1614
Examiner Name	Unknown
Attorney Docket Number	SCH-1985

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	A1	2001005760	A1	Yuuki NAGAO et al.	06-28-2001
	A2	20020006915	A1	V.E. MACK STRONG et al.	01-17-2002
	A3	5,605,814		MERCK FROSST CA.	02-25-1997
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	A12	60/077,990	Prov.	Yves Gareau	N/A
	A13	60/103,564	Prov.	Michel Belley	N/A
	A14	60/103,371	Prov.	Joseph G. Atkinson	N/A

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	B1	EP	1175889	A1	Bruno BERNARD et al.	01-30-2002		A8
	B2	EP	752421	A1	ZENECA LTD.	01-08-1997		N/A
	B3	WO	00/024393	A1	MERCK FROSST CA	05-04-2000		N/A
	B4	WO	93/07294	A1	Monika KONIG et al.	04-15-1993		N/A
	B5	WO	95/06664	A1	MERCK FROSST CA	03-09-1995		N/A
	B6	WO	99/33794	A1	ONO PHARM. CO.	07-08-1999		N/A
	B7	EP	0,860,430	A2	ONO PHARM. CO.	08-26-1998		N/A

Examiner
Signature

Date
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.

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				Examiner Name	Unknown
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Sheet	2	of	2		

FOREIGN PATENT DOCUMENTS (Continued)								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	B8	EP	0,974,580	A1	ONO PHARM. CO.	01-26-2000		N/A
	B9	WO	00/40248	A1	SYNPHORA AB	07-13-2000		N/A
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	B11	WO	95/00501	A2	MERCK FROSST CA.	01-05-1995		N/A
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	B16	WO	01/41760	A2	PHARMACIA CORP.	06-14-2001		N/A
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	B19	EP	0 863 134	A1	MERCK FROSST CA.	09-09-1998		N/A
	B20	EP	0 985 666	A1	PFIZER INC.	03-15-2000		N/A

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C1	NARUMYA, Shuh et al., "Prostanoid Receptors: Structures, Properties, and Functions," Physiological Review, 1999, pgs. 1203-1204.	
	C2	SMITH et al., British Journal of Rheumatology, vol. 35 no. 5, pgs. 458-462.	

Examiner Signature	Date Considered
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